

REMARKS

In accordance with the foregoing, claims 1, 2, 7, 8, 14, 19-21 have been amended. The amendments to the claims are supported by at least paragraphs [0023] and [0039] of the specification. Accordingly, claims 1-21 are pending and under consideration.

Rejection of Claims 19-21 Under 35 U.S.C. §101

The Office Action rejects claims 19-21 under 35 U.S.C. §101. Applicant amends claims 19-21 to obviate this rejection. Accordingly, withdrawal of this rejection is respectfully requested.

Rejection of Claims 1-11, 14-16, and 19-21 Under 35 U.S.C. §103(a)

The Office Action rejects claims 1-11, 14-16, and 19-21 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,279,056 issued to Jacobs et al. (hereinafter referred to as "Jacobs") in view of U.S. Patent 6,414,675 issued to Shen. This rejection is respectfully traversed.

Jacobs and Shen, taken separately or in combination, do not disclose, teach, or suggest at least, "a touch pad including a sensing plate and a plurality of touch pad inputting buttons for inputting movement and selection of a pointing cursor when the power switch is in an "ON" state, wherein the touch pad inputting buttons of the touch pad have selection inputting functions used to control a plurality of operations of the optical device drive when the power switch is in an "OFF" state," as recited claim 1.

However, Jacobs and Shen, taken separately or in combination, do not teach or suggest touchpad inputting buttons used to (1) input movement and selection of a pointing cursor when the power switch is in an "ON" state and (2) to control a plurality of operations of the optical device drive when the power switch is in an "OFF" state. For example, Jacobs does not teach using its stop button 82 in an "ON" state for cursor selection and movement. Col. 5, lines 1-5 of Shen does not teach or suggest moving the functionality of the control panel 60 to the touch pad selection buttons. Instead, col. 5, lines 1-5 appears to suggest separating the functions for pointing the cursor from the functions of controlling a CD drive.

In item 21 on page 12, the Office Action asserts, "Shen teaches selection buttons used to control a plurality of operations of the optical device drive when the power switch is in an "OFF" state (see lines 31-50 of column 1)." However, Shen's CD control panel 60, which sends signals to a CD drive 58, is not included in a touch pad. Instead, Shen's CD control panel 60 is located in an entirely different location as shown in Figure 3 of Shen. Because Jacobs and Shen do not disclose, teach, or suggest "a touch pad including a sensing plate and a plurality of

touch pad inputting buttons,” as recited in claim 1, Jacobs and Shen can not input movement and selection of a pointing cursor when the power switch is in an “ON” state using a touch pad, and can not control a plurality of operations of the optical device drive when the power switch is in an “OFF” state using a touch pad.

Therefore, for at least these reasons, claim 1 is patentably distinguishable over the cited references.

Claims 2-7 depend from claim 1 and include all of the features of claim 1. Therefore, for at least these reasons, claims 2-7 are patentably distinguishable over the cited references.

Similarly, Jacobs and Shen, taken separately or in combination, do not disclose, teach, or suggest at least, “a touch pad including a plurality of touch pad input button switches to generate a signal based on a user input, a sensing plate to sense a contact position, and a touch pad control unit to control movement of a pointing cursor; and a bus switching unit to supply the signal to the optical device driver to control an optical device if the system power is disabled and to supply the signal to the touch pad control unit to control a pointing cursor if the system power is enabled,” as recited in claim 8. Therefore, for at least these reasons, claim 8 is patentably distinguishable over the cited references.

Claims 9-11 depend from claim 8 and include all of the features of claim 8. Therefore, for at least these reasons, claims 9-11 are patentably distinguishable over the cited references.

Similarly, Jacobs and Shen, taken separately or in combination, do not disclose, teach, or suggest at least, “generating a signal based on a user input via a touch pad, which includes a plurality of touch pad input button switches and a sensing plate; and supplying the signal to an optical device driver to control an optical device if the system power is disabled, and supplying the signal to a touch pad control unit to control movement of a pointing cursor if the system power is enabled,” as recited in claims 14 and 19. Therefore, for at least these reasons, claims 14 and 19 are patentably distinguishable over the cited references.

Claims 15 and 16 depend from claim 14 and include all of the features of claim 14. Therefore, for at least these reasons, claims 15 and 16 are patentably distinguishable over the cited references.

Claims 20 and 21 depend from claim 19 and include all of the features of claim 19. Therefore, for at least these reasons, claims 20 and 21 are patentably distinguishable over the cited references.

Accordingly, withdrawal of this rejection is respectfully requested.

Rejection of Claims 12, 13, 17, and 18 Under 35 U.S.C. §103(a)

The Office Action rejects claims 12, 13, 17, and 18 under 35 U.S.C. §103(a) as being unpatentable over Jacobs in view of Shen and further in view of U.S. Patent 6,865,621 issued to Iwata. This rejection is respectfully traversed.

Iwata does not cure the deficiencies of Jacobs and Shen.

Jacobs, Shen, and Iwata, taken separately or in combination, do not disclose, teach, or suggest at least, “a touch pad including a plurality of touch pad input button switches to generate a signal based on a user input, a sensing plate to sense a contact position, and a touch pad control unit to control movement of a pointing cursor; and a bus switching unit to supply the signal to the optical device driver to control an optical device if the system power is disabled and to supply the signal to the touch pad control unit to control a pointing cursor if the system power is enabled,” as recited in claim 8. Therefore, for at least these reasons, claim 8 is patentably distinguishable from the cited references.

Claims 12 and 13 depend from claim 8 and include all of the features of claim 8. Therefore, for at least these reasons, claims 12 and 13 are patentably distinguishable over the cited references.

Jacobs, Shen, and Iwata, taken separately or in combination, do not disclose, teach, or suggest at least, “generating a signal based on a user input via a touch pad, which includes a plurality of touch pad input button switches and a sensing plate; and supplying the signal to an optical device driver to control an optical device if the system power is disabled, and supplying the signal to a touch pad control unit to control movement of a pointing cursor if the system power is enabled,” as recited in claim 14. Therefore, for at least these reasons, claim 14 is patentably distinguishable from the cited references.

Claims 17 and 18 depend from claim 14 and include all of the features of claim 14. Therefore, for at least these reasons, claims 17 and 18 are patentably distinguishable over the cited references.

Accordingly, withdrawal of this rejection is respectfully requested.

Summary

Claims 1-21 are pending and under consideration. It is respectfully submitted that none of the references taken alone or in combination disclose the present claimed invention.

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There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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